

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
FEBRUARY 15, 1978

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, February 15, 1978 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Ehrhardt, Hughes,
Katzakian, Pinkerton
and Katnich(Mayor)

Absent: Councilmen - None

Also Present: Assistant City Manager Glenn,
Public Works Director Ronsko, Community
Development Director Schroeder, City
Attorney Mullen, and City Clerk Reimche.

INVOCATION

The invocation was given by Reverend Vernon Robertson, Grace Presbyterian Church.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Pinkerton, Ehrhardt second, Council approved the Minutes of January 4, 1978, January 18, 1978, and February 1, 1978 as written and mailed.

PRESENTATION BY
CAMELLIA FESTIVAL
ROYAL COURT

The Camellia Festival Royal Court appeared before the City Council inviting the community to attend the 24th Annual Camellia Festival to be held in Sacramento March 3 - 12, 1978. The Royal Court presented gifts of camellia plants to the City Council and to members of the Staff.

RESOLUTION OF
APPRECIATION

The Council adopted a Resolution of Appreciation for Bellford Schick for his many years of dedicated service to the City.

PROCLAMATION

Mayor Katnich proclaimed February 18 - 25, 1978 as "Future Farmers of America Week."

HOMESTEAD
SAVINGS & LOAN
ASSN. DONATES
GIFT OF PLAY-
GROUND EQUIPMENT
TO CITY

Council was apprised of a letter which had been received from Homestead Savings and Loan Association advising that their Board of Directors had authorized a donation to the City of Lodi of approximately \$20,000 for the purpose of acquiring and installing two children's playgrounds at Twin Oaks Park and Beckman Park.

Mr. Ed DeBenedetti, Director of Parks and Recreation was in the audience and presented a display of the type of playground equipment that this gift will include.

Minutes of February 15, 1978, continued

HOMESTEAD
SAVINGS DONATION
(Continued)

On motion of Councilman Ehrhardt, Pinkerton second, Council accepted this generous gift and directed the City Clerk to write to Mr. Lawrence Weissberg, President, Homestead Savings and Loan Association extending Council's sincere sincere appreciation for this most generous gift to the community.

EXECUTIVE SESSION

COUNCIL PLACES
MORATORIUM ON
APPROVAL OF
ALL TENTATIVE
MAPS, FINAL
MAPS, & REZON-
INGS

The City Council recessed at 8:25 p.m. to Executive Session to discuss a matter concerning possible litigation. City Clerk Reimche requested that she be excused from the Executive Session, and the request was granted by Mayor Katnich.

Council reconvened at approximately 8:45 p.m.

REQUEST FOR
TIME EXTENSION
ON COMPLETION
OF CITY'S HOUS-
ING, SAFETY,
SEISMIC SAFETY
& NOISE
ELEMENTS OF THE
GENERAL PLAN

Following introduction by City Attorney Mullen, Council on motion of Councilman Ehrhardt, Hughes second, placed a moratorium on the approval of all tentative maps, final maps, and rezonings until such time as the City's request for a time extension on the completion of the City's Housing, Safety, Seismic Safety, and Noise Elements of the General Plan has been accepted by the Director of the State Office of Planning and Research.

RES. NOS. 78-16,
78-17 & 78-18

On motion of Councilman Ehrhardt, Hughes second, Council unanimously adopted Resolution No. 78-16 requesting a time extension to September 1, 1978 for the completion of the Safety and Seismic Safety Elements of the General Plan by the City of Lodi.

On motion of Councilman Hughes, Ehrhardt second, Council adopted Resolution No. 78-17 requesting a time extension to October 1, 1978 for completion of the Noise Element of the General Plan by the City of Lodi. The Resolution was passed by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian, and Katnich

Noes: Councilmen - Pinkerton

Absent: Councilmen - None

On motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 78-18 requesting a time extension to September 1, 1978 for completion of the Housing Element of the General Plan by the City of Lodi. The motion carried by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian, and Katnich

Noes: Councilmen - Pinkerton

Absent: Councilmen - None

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PUBLIC HEARING
REGARDING
MOKEKUMNE
SUBDIVISION
DEFERRED

Because of the moratorium on approval of all tentative maps, final maps, and rezonings until such time as the City's request for a time extension on the completion of the City's Housing, Safety, Seismic Safety, and Noise Elements of the General Plan has been accepted by the Director of the State Office of Planning and Research, Council deferred the Public Hearing which had been set for this meeting to consider the City Planning Commission's recommendation that the upland portion of the Mokelumne Village Subdivision which is located on the north side of East Turner Road between the Southern Pacific Railroad right-of-way and State Route 99 be rezoned from P-D(3) Planned Development District No. 3 as outlined in the Notice of Public Hearing to the regular Council meeting of April 19, 1978.

It was noted that the City Council must consider certifying as adequate the Mokelumne Village Subdivision EIR at a Public Hearing regarding the matter at the April 19, 1978 date also.

Council also deferred action on the Public Hearing set for this date to consider the request of Baumbach and Piazza, Civil Engineers, on behalf of Sanguinetti and Arnaiz Development Company, developers of the Mokelumne Village Subdivision appealing the condition that the Developer pay for 25% of the cost of installing street lights at the corner of Stockton Street and Turner Road. The letter of appeal was in error and should have read "the cost of installing traffic signals".

COMMUNICATIONS

City Clerk Reimche presented the following Application for Alcoholic Beverage License which had been received:

ABC LICENSES

Lawrence Boccia and Donald Lipscomb, Hole-in-the Wall, 103 E. Pine Street, Lodi, New License, On Sale Beer and Wine.

LETTER FROM
STATE RE CITY'S
REQUEST FOR
STOP SIGNS ON
KETTLEMAN LANE

The City Clerk presented a letter which had been received from State Department of Transportation in response to the City's request for stop signs at Church and Kettleman and Stockton and Kettleman until such time as the authorized signals for those locations are operational advising that the completion of the signal project at Church and Kettleman is imminent. The letter further stated that a recent 11-hour traffic count indicated approximately 12,400 vehicles on Route 12 compared to only 2,100 vehicles on Stockton Street at the intersection. The State indicates that they would be reluctant to stop the many vehicles on Route 12 which would cause a large back-up down into the underpass and further that they believe an increase in accidents would definitely result.

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ADDITIONAL
COUNCIL
MEETINGS
SUGGESTED

Mayor Katnich suggested that because of the tremendous amount of items on the City Council agendas, that the City Council consider the possibility of having four Council meetings a month.

Council discussion followed with Councilman Katzakian proposing that Council consider two half day sessions, starting at 1:00 p.m. and continuing through evening hours to replace the twice-a-month 8:00 p.m. sessions now conducted.

It was suggested that the City Staff recommend a meeting schedule that would best expedite City business before the Council.

CONSENT
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Hughes, Ehrhardt second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$828,440.28.

AWARD-LOCUST
STREET AND
SACRAMENTO
STREET STORM
DRAIN

Assistant City Manager Glenn presented the following bids which had been received for "Locust Street Storm Drain, Church Street to Sacramento Street and Sacramento Street Storm Drain, Locust Street to Alley north of Locust Street":

RES. NO. 78-19

BIDDER	BID
Wayne Fregien	\$36,057.75
RD Engineering	\$37,888.00
Teichert Construction	\$38,874.00
ABC Underground	\$40,923.00
Parrish Inc.	\$41,067.62
Donald K. Day	\$44,938.50
DCM Construction	\$45,157.95
Claude C. Wood Company	\$47,629.30
H. Max Lee Inc.	\$49,365.00
ESP	\$50,121.50

Following the recommendation of the Assistant City Manager, Council adopted the following resolution:

RESOLUTION NO. 78-19

RESOLUTION AWARDING THE CONTRACT FOR "LOCUST STREET STORM DRAIN, CHURCH STREET TO SACRAMENTO STREET AND SACRAMENTO STREET STORM DRAIN, LOCUST STREET TO ALLEY NORTH OF LOCUST STREET " TO WAYNE FREGIEN, THE LOW BIDDER, IN THE AMOUNT OF \$36,057.75.

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AWARD-CATCH
BASIN REPLACE-
MENT

RES. NO. 78-20

The Assistant City Manager presented the following bids which had been received for "Catch Basin Replacement, Tamarack Drive and Church Street, Locust Street and Central Avenue, Hilborn Street and Washington Street, Locust Street and Stockton Street":

<u>BIDDER</u>	<u>AMOUNT</u>
H. Max Lee	\$19,870.00
ABC Underground	\$19,962.00
Claude C. Wood Co.	\$21,712.80
Teichert Construction	\$24,516.00
DCM Construction	\$24,972.00

Following recommendation of the Assistant City Manager, Council adopted the following resolution:

RESOLUTION NO. 78-20

RESOLUTION AWARDING THE CONTRACT FOR "CATCH BASIN REPLACEMENT, TAMARACK DRIVE AND CHURCH STREET, LOCUST STREET AND CENTRAL AVENUE, HILBORN STREET AND WASHINGTON STREET, LOCUST STREET AND STOCKTON STREET" TO H. MAX LEE, THE LOW BIDDER, IN THE AMOUNT OF \$19,870.00.

AWARD-CONTRACT
FOR WELL 4 AND
WELL 7 PUMPS

RES. NO. 78-21

Assistant City Manager Glenn presented the following bids which had been received for "Well 4 and Well 7 Pumps":

<u>BIDDER</u>	<u>AMOUNT</u>
Goehring Pump & Irrigation Co.	\$17,390.00
Subgrade Construction Corp	\$17,679.00
San Joaquin Pump Co.	\$17,954.44
Universal Pump Co.	\$19,873.94
Western Well Drilling	\$21,060.00
Water Development Corp.	\$21,089.00
E. E. Luhdorff Co.	\$22,569.60
Noack Pumps, Inc.	\$24,419.00

Following recommendation of the Assistant City Manager, Council adopted the following resolution:

RESOLUTION NO. 78-21

RESOLUTION AWARDING THE CONTRACT FOR "WELL 4 AND WELL 7 PUMPS" TO GOEHRING PUMP AND IRRIGATION COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$17,390.00.

AWARD-
STANDARD SIZE
SEDAN FOR P.D.

RES. NO. 78-22

Bids for a standard size sedan for the Police Department were presented for Council's perusal as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Weil Motors	\$5,412.70
Tokay Olds	\$5,946.00
Sanborn Chevrolet, Inc.	\$5,851.77
Geweke Ford	\$5,503.26

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SEDAN FOR P.C.
RES. 78-22(Contd)

Following recommendation of the Assistant City Manager, Council adopted the following resolution:

RESOLUTION NO. 78-22

RESOLUTION AWARDING THE BID FOR ONE STANDARD SIZE 4-DOOR SEDAN FOR THE POLICE DEPARTMENT TO WEIL MOTORS, THE LOW BIDDER, IN THE AMOUNT OF \$5,412.70.

CHEROKEE LANE
WATERMAIN,
EDA PROJECT NO.
07-51-26803
ACCEPTED

Council was apprised that the contract for "Cherokee Lane Watermain, EDA Project No. 07-51-26803", which was awarded to Claude C. Wood Company of Lodi on November 16, 1977 in the amount of \$83,895.50 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CHEROKEE LANE WATERMAIN, EDA PROJECT NO. 07-51-26803" SUBJECT TO OBTAINING CLEARANCE FROM THE ECONOMIC DEVELOPMENT ADMINISTRATION, AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

STURLA PARK
SUBDIVISION
ACCEPTANCE

RES. NO. 78-23

Council was apprised that the Subdivision improvements in Sturla Park have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Aladdin Real Estate dated March 9, 1977 and as specifically set forth in the plans and specifications approved by the City Council.

Council adopted the following resolution with Councilman Katzakian abstaining from voting on the matter.

RESOLUTION NO. 78-23

RESOLUTION ACCEPTING THE SUBDIVISION IMPROVEMENTS AND STREETS INCLUDED IN TRACT MAP NO. 1239, STURLA PARK SUBDIVISION.

ACCEPTANCE OF
"WELL 9 PUMP
AND MOTOR"

COUNCIL ACCEPTED THE IMPROVEMENTS FOR "WELL 9 PUMP AND MOTOR" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

CONFLICT OF
INTEREST FILINGS-
LIBRARIAN &
LIBRARY BOARD
OF TRUSTEES

COUNCIL RECEIVED AS FILED CONFLICT OF INTEREST FILINGS BY THE LIBRARIAN AND THE LIBRARY BOARD OF TRUSTEES COVERING THE PERIOD FROM THE DATE OF THEIR INITIAL FILING THROUGH DECEMBER 31, 1977.

SPECS APPROVED
FOR TWO INTER-
MEDIATE AUTO-
MOBILES

COUNCIL APPROVED SPECIFICATIONS FOR TWO INTERMEDIATE AUTOMOBILES-ONE FOR THE ADMINISTRATIVE DEPARTMENT AND ONE FOR THE FIRE DEPARTMENT AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

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EXPENDITURE
FOR BILLBOARDS
AT VARIOUS
ENTRANCES TO
CITY APPROVED

Following a presentation by Mr. Thomas Newton, Lodi District Chamber of Commerce, Council, on motion of Councilman Katzakian, Ehrhardt second approved expenditures from the Transient Occupancy Tax for billboards at various entrances to the City - two billboards at \$225.00 each per month with 36 month contracts and two billboards not to exceed \$175.00 each per month with 12 month contracts.

AMENDED RATES
FOR SALE OF
ELECTRIC
ENERGY APPRVD.

A proposal for a revision in electric rates was presented for Council's scrutiny. Comparison data had been given to the City Council for review and study at an earlier Council meeting. Director of Utilities Lewis highlighted the report, presented diagrams, and answered questions as were directed by the Council.

ORD. NO. 1137
INTRO.

Mr. Cash Peterman, resident of Almond Drive Estates Mobile Home Park addressed the Council stating that he felt that the fuel oil charges reflected in the City's utility billings are out of line.

The following mobile home park owners were in the audience and addressed the Council indicating their dissatisfaction with the trailer park rates:

- a) James W. Baum, 1420 Edgewood Drive, Lodi, owner of Shady Acres Mobile Home Park
- b) Mr. Homer Belt, 812 E. Turner Road, Casa De Lodi Mobile Home Park

A very lengthy discussion followed with questions being directed to Staff, Mr. Baum and Mr. Belt. No satisfactory solution was forthcoming, therefore a meeting was scheduled to be attended by all mobile home park owners in the community, Councilman Hughes, City Manager Graves, and Director of Utilities Lewis with the hope that a mutually satisfactory solution can be developed at this meeting.

Councilman Hughes then moved for introduction of Ordinance No. 1137 establishing rates for the sale of electric energy as depicted in Alternate No. 3 in document entitled "1978 Electric Rate Comparison" as presented to Council. This Ordinance shall be in force and take effect with respect to all electric bills prepared on and after April 1, 1978. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

RECESS

Mayor Katnich declared a five-minute recess, and the Council reconvened at approximately 11:20 P.M.

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APPROVAL OF
AGREEMENT
BETWEEN CITY &
SYMBEX OF
CALIFORNIA

Council was apprised that during the last fiscal year, the City has had two major problems with respect to disposal of various material:

1. The disposal of leaves picked up during leaf season, due to the fact that the City had to terminate dumping in the floodplain at the City's old dump site north of Turner Road, and
2. The disposal of the sewage sludge produced at White Slough Water Pollution Control Facilities.

Prior to last fall, the City began working with Mr. Bill Kooyman on an agreement whereby he would remove all of the sludge from the White Slough property at no cost if the City would deliver leaves from the City's leaf season to a disposal site leased by him on Thornton Road just south of Turner Road. Mr. Kooyman, at the time he was dealing with the City, was apparently in partnership with Symbex of California and that partnership has recently been dissolved with Symbex taking over.

Subsequently, an agreement was drawn up with Symbex of California which was presented for Council's perusal. Under this Agreement the City would be allowing Symbex of California to use approximately one acre of the City's land at White Slough in exchange for the following additional benefits:

1. Symbex would improve an access road to the acre site that they would be using at White Slough. This access road is also used by plant personnel to gain access to the Van Ruiten parcel to the south of the plant which we recently purchased.
2. They would agree to remove all of the existing leaves at the old City dump site north of Turner Road (approximately 12,000 cubic yards) plus all of the leaves from the next leaf season and all of the woodchips from the City's tree trimming operation. The Turner Road dump site would be used as a transfer station for this year's leaves and woodchips. This will save the City approximately \$4,000 in leaf hauling cost; and in addition, an additional cost will be saved in transporting our woodchips to the Harney Lane site.
3. Symbex agrees to pay 25¢ per cubic yard for the removal of the existing leaves at the Turner Road site.

On motion of Councilman Hughes, Ehrhardt second, Council authorized the City Manager to execute agreement between the City of Lodi and Symbex of California which covers the disposition of all of the City's leaves, woodchips and sludge for a 16-month period following approval as to form of the Agreement by the City Attorney and further authorized the City Manager to apply for any necessary permits required by State Agencies for the removal of leaves from the floodplain.

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ALTERNATE
FOR UNEMPLOY-
MENT INSURANCE
CONTRIBUTIONS
APPROVED

RES. NO. 78-24

Council was apprised that Assembly Bill 644 which was recently signed by the Governor requires that the City cover all of its employees with Unemployment Insurance. Under this law, public entities have several financing options available; namely,

Contribution Rate Method
Direct Reimbursement
Joint Reimbursement
Local Public Entity Employees Fund

Each option was explained and Assistant City Manager Glenn responded to questions regarding the subject as were posed by the City Council.

Following discussion, on motion of Councilman Pinkerton, Ehrhardt second, Council adopted Resolution No. 78-24 approving the option to fund the City's liability for Unemployment Insurance through the Local Public Entity Employees Fund.

REFUSE FEES

Assistant City Manager Glenn apprised the Council that per the City's Agreement with Sanitary City Disposal Company, Inc., the City has received an audited statement for the Fiscal Year ending June 30, 1977. According to the Company's audited statement, it had a net operating loss of \$113,962.

Following review of this statement with Dario DeBenedetti and the Company's Auditor, some adjustments have been made in order to reflect the terms of the Agreement for return on investment; management salaries; and a particular inter-company charge. Based on these adjustments, there would be an operating loss to Sanitary City of \$57,873 for the year ending June 30, 1977.

Consolidated operating statements which showed the actual revenues and expenditures for F.Y. 1975-76 - 1976-77; a budget for F.Y. 1976-77 upon which rate increases were granted last year, a budget submitted for F.Y. 1977-78 operations; and a recommended budget for this year's operations were presented for Council's perusal. A lengthy discussion followed with questions being directed to Mr. Dario DeBenedetti who was in the audience and to Staff.

Mayor Katnich, with the Council's tacit concurrence, deferred action on this matter to the regular Council meeting of March 1, 1978 and asked that the matter also be set for Informal Informational Meeting discussion prior to the March 1, 1978 meeting.

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SOLID WASTE
STUDY -
APPROVE
PARTICIPATION

In a report from City Manager Graves, Council was apprised that the Solid Waste Committee of the Cities and County has resolved questions about the consultants. The County has awarded the contract. According to the City Manager, an appropriation of \$6,352.24 will cover Lodi's share of the cost. The City Manager suggested that the sum be appropriated from Anti Recession Funds.

Councilman Hughes expressed his objection to the manner in which the costs for this study were being prorated to the County and the involved Cities.

Following discussion, Council, on motion of Mayor Katnich, Katzakian second, approved appropriations from Anti Recession Funds of \$6,352.24 to cover the City's share of participation in Solid Waste Study. The motion passed by the following vote:

Ayes: Councilmen - Ehrhardt, Katzakian, Katnich
and Pinkerton

Noes: Councilmen - Hughes

Absent: Councilmen - None

PUBLIC
HEARING SET
RE FLOOD
PLAIN ZONE

Following introduction of the matter by Community Development Director Schroeder, Council on motion of Councilman Katzakian, Ehrhardt second, set for Public Hearing on March 1, 1978, consideration of text changes and boundary changes in the Flood Plain Zone in the City of Lodi in order to comply with regulations of the Federal Flood Insurance Administration.

ACTION ON
ORD. NO. 1134
DEFERRED

Because of the moratorium adopted by Council on the approval of all tentative maps, final maps, and rezonings until such time as the City's request for a time extension on the completion of the City's Housing, Safety, Seismic Safety, and Noise Elements of the General Plan has been accepted by the Director of the State Office of Planning and Research, Council deferred action on Ordinance No. 1134 entitled "An Ordinance rezoning the parcel located at 615 South Hutchins Street from R-2, Single-Family Residential to R-GA, Garden Apartment Residential" until such time as this acceptance has been received from the Director of the State Office of Planning and Research.

ORD. AMENDING
THE SPECIFIC
PLAN FOR
BECKMAN RD.

Ordinance No. 1135 entitled "An Ordinance Amending Resolution No. 3600 Which Adopted A Specific Plan for Beckman Road" having been introduced at a regular meeting held February 1, 1978 was brought up for passage on motion of Councilman Pinkerton, Ehrhardt second. The Ordinance as introduced amended the Specific Plan for Beckman Road as follows:

ORD. NO. 1135
ADOPTED

Lodi Avenue North to Victor Road

Right-of-way width	54 foot width
22 foot setback	
curb to curb width	40 feet

Use existing curb on west side, with no sidewalks on either the east or west side.

Right-of-way width	54 foot width
20 foot setback	
Curb to curb width	40 feet

Use existing curb on west side, with no sidewalks on either the east or west side.

A lengthy Council discussion followed with Councilman Hughes moving to amend the motion to amend the Specific Plan for Beckman Road to include only that portion between Victor Road and Lodi Avenue as follows:

Right-of-way width	54 foot width
22 foot setback	
Curb to curb width	40 feet

Use existing curb on west side, with the addition of 4-foot sidewalks on the east side of the Frontage Road.

Absent: Councilmen - None

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ORD. AMENDING
THE SPECIFIC
PLAN FOR
BECKMAN ROAD

Ordinance No. 1135 as amended entitled "An Ordinance Amending Resolution No. 3600 Which Adopted A Specific Plan for Beckman Road" after reading by title was then passed, adopted, and ordered to print by the following vote:

ORD. NO. 1135
ADOPTED
(Continued)

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian,
Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ORD. PROVIDING
FOR EXTENSION
OF WATER
MAINS & REIM-
BURSEMENT
THEREOF WITH-
IN THE CITY OF
LODI

Ordinance No. 1136 entitled "An Ordinance of the City of Lodi providing for extension of water mains and reimbursement thereof within the City of Lodi" having been introduced at a regular meeting held February 1, 1978 was brought up for passage on motion of Councilman Ehrhardt, Hughes second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted and ordered to print by the following vote:

ORD. NO. 1136
ADOPTED

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian,
Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 12:40 a.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK